

ATTORNEY DOCKET NO.: 051481-5122 US

## RADEMYN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	) Confirmation No.: 5011
Andre VEINOTTE	) Group Art Unit: 3747
Application No.: 10/758,126	) Examiner: Unassigned
Filed: January 16, 2004	)
For: ELASTOMERIC VAPOR FLOW CONTROL ACTUATOR	) )

Commission for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the co-pending applications listed below and documents listed on the attached PTO-1449.

To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application and no fees are believed to be necessary.

Applicant respectfully requests that the Examiner consider the listed documents and applications and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

Application Serial No.	Title	Inventors	Attorney Docket No.	Date Filed	Art Unit Status
10/758,016	System for Extending an Elastomeric Vapor Flow Control Actuator	Andre VEINOTTE	051481-5141	Jan. 16, 2004	3747 Pending

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Application Serial No.	Title	Inventors	Attorney Docket No.	Date Filed	Art Unit Status
10/758,104	Elastomeric Vapor Flow Control Actuator with Improved Mechanical Advantage	Andre VEINOTTE	051480-5140	Jan. 16, 2004	3747 Pending

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR** 

**EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: May 25, 2004

By: // A

Peter J. Sistare Reg. No. 48,183

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## 'Attorn'zy Docket No. 051481-5122 Application No.: 10/758,126 INFORMATION DISCLOSURE CITATION Applicants: Andre VEINOTTE (Use several sheets if necessary) OIPE PAGE 1 of 1 Group Art Unit: 3747 Filing Date: January 16, 2004 **PTO Form 1449 U.S. PATENT APPLICATIONS** BADEM Sub Filing Date Examiner Application **Publication** Name Class Initial Number Class Date **U.S. PATENT DOCUMENTS** Date Name Class Sub Filing Date \*Examiner Document Class Initial Number 06/12/2003 Pappo et al. 2003/0107013 A1 6,026,847 02/22/2000 Reinicke et al. 5,386,849 02/07/1995 Gilchrist et al. 5,217,037 06/08/1993 **Bristol** 4,284,263 08/18/1981 Newcomb 4,161,306 07/17/1979 Brune et al. 3,740,019 06/19/1973 Kessell et al. Kippenhan 3,055,631 09/25/1962 Date Considered Examiner Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if Examiner: not in conformance and not considered. Include copy of this form with next communication to applicant.